1899

Previous references.

Police F. 54 of 97

190 .

(Police .)

File No. 67 of 99

Serial Nos. 1-8

Later references.

Police 46 - 02

GENERAL AND REVENUE SECRETARIAT.

43

Serial Nos. 1 - 8

~~Part~~ B. for June 1901

SUBJECT.

Appeal against the orders of the District magistrate in the matter of Kaima procession at Holehonnur.

Sl. 1. From The Brahmin Community of Holehonnur

No. Pet / 1781 Dt 16-3-00.

Appeal against the Dy Commissioner's Order dated 18-3-99 & 7-3-1900 in the matter of taking their Kaima in procession at Holehonnur

The Dy Commr. Shimoga

No. 105-49 / G. 1045 Dt 25-3-00

Forwarded for above for the information of and early report thereon together with the

the records connected with the case

Yours obedt servt of Hale homme.
Ref. 315 dated 3-8-00

Reminder Legal No. 11

The Dy Commr. Shimoga
No. 199/24 Dt 21-8-00

Submits the report called for in Sl 2

The Dy Commr. Shimoga
No. 3053/3312 Dt 27-8-00
Forwards the petition referred to in
Sl 3.

The Dy Comm. Shimoga
No. 7942/9879 Dt 12-12-00
Requests to submit a further report
regarding the subject in question

The Dy Commr. Shimoga
No. 745/68 Dt 9-3-01
Submits the report called for in
the above.

The Dy Commr. Shimoga
No. 165-15/9.1650 Dt 12-6-01
Records the above.

J. V. R. Iyengar

SESSION Police
67 of 99
FILE No. ~~Police 97~~
ITEM No.

Jn dl

Is any thing to be said in this matter in the Jn dl
Calcutta

28-7-98

Am collecting material for framing necessary rules, a draft of which will be submitted as soon as possible.

But as these will not materially differ from the rules already laid down by Govt in their Proc. of 27-2-96 No. 109 D.H.O., the preparation of the former need not delay disposal of this petition.

The recognised principles (as enunciated by the Calcutta High Court) on this subject are, in brief, as follows:

(1) Every citizen has the right to use a public highway for processional as well as for ordinary purposes:

(2) But, on considerations of public order and peace, the Magistrate has the power to suspend and regulate, (and the Police a power to regulate), the exercise of the right:

(3) This power of the Magistrate must not, however, be exercised generally, but only on a consideration of the circumstances of the particular occasion

2(4) Where the exercise of a right is disputed or uncertain, the Magte is to maintain ancient usage until the dispute is determined by judicial decision.

=

These same principles are re-stated in the Govt. order of 27-2-93.

=

Both the requests of the present petitions are therefore impracticable, as it is the function of the Civil Courts and not of the Magte to make a final adjudication of the rights of parties in this matter, and as such authority as the Dy. Magte has cannot be restrained in the manner suggested by Petrs.

Subs. to decl.

30/7/90

I agree - Magte can deal expeditiously with petition if Complt. is brought promptly

3-8-90

9421

When Petrs first complained of or appealed against the order of the Dy Com^r, there

Complainant on behalf of himself and the villagers of Kalkere Village Kasaba Hobli Channapatna Taluk and District has filed this complaint against the order of the Deputy Commissioner in this behalf dated 27.2.93 passed in Case No. 4/92-93 under Section 133 of the Cr.P.C. directing the removal of the encroachments made by the complainant in the Kere Bund and the Kere Kodi. The Deputy Commissioner has held that the Kere Bund and the Kere Kodi belong to the Kere and that the encroachments made by the complainant should be removed. The complainant has contended that the Kere Bund and the Kere Kodi belong to him and that the encroachments made by him should not be removed. The Deputy Commissioner has held that the Kere Bund and the Kere Kodi belong to the Kere and that the encroachments made by the complainant should be removed. The complainant has contended that the Kere Bund and the Kere Kodi belong to him and that the encroachments made by him should not be removed.

3.8.90

(8)

Encl:

Granted to Murigappa and others of the Lingayat Community of Holehonnur, Shimoga Dt., in reply to their petition Regd. no. 120, dated the 13th Aug 1890, praying that the Dy. Commr. may be directed to make a complete adjudication of the rights of parties in their village in respect of the celebration of the Hanna festival, and ~~for~~ not to pass orders restraining the exercise of the rights of Petrs except on a satisfactory evidence of their riotous disposition, &c.

The Petrs are informed that their prayers are impracticable and that their petition is rejected.

Secy.

Copy to the Dy. Magte, Shimoga, for information.

Secy.

Subd to Govt for appl.

Subject (VI)

The more important papers on this file are indicated by slips.

This agitation began far back as in 1855. ine after time the rangers of the diggings Korkhouses & be loved to set up an ugg of Kaana in public place during e Koli feast seems to ave been refused.

On the 18th. Feb they succeeded in introducing the bier d of the wedge by ching the St. Mag countenance their

setting up the Kama
image in a private
house of theirs (order
marked XIV).
But when the Police Supt.
visited the spot to
see how the said
order was being complied
he found the image
placed in a pandal
facing the road
in which the Brahmin
priests were holding
pooja the Brahmins
being the opponents
of the dancers
in this case. (Report
marked XV)
When the matter
again went before the
Ld. Mag. on the 7th

March 20 (Order
marked XVI) he was
"inclined to believe
that the disagents
are introducing a
innovation" and in
the very next sentence
he says that "I can
not consider it
reasonable that they
should be prevented
from doing so. The S.
Majesty declined to
hold any further
enquiry and directed
the Police to take such
his order of 18.3.99
was promptly carried
out. The Brahmins
here at the same time
told that it was upon

K. Thomas & Co. a decree
Order of the Civil
Court in the matter.
Here the burden of resisting
the Civil Court appears
to have been placed on
the wrong shoulders
and the order in favour
of the defendants seems
in my humble opinion
to be open to question.

AK 4/12

Yes but how can
Court interfere?
Is there any
law or standing
order on the
subject? AK
10/9/00
Put up
short - AK 10/9

Subj. G.O. No. 109 dated 27/2/93
is put up
DHO
11/9/00. Subj. [illegible]

NR 12/9

Please draw the Dy. Com's attention to
the para
[illegible]
Red. 7/12/00.

Subject to Govt. Order
Dy. Com. action
Allowed & Para
8(d).
Date 14/9/00
272

Govt. No. 109
DHO
dated 27/2/93.
12/9/00
13/9

Sub Sec 7

As ordered by the Council the Dt. magte's attention was drawn× to para 8(d) of the Pro: quoted above & his further perusal was also awaited.

× order no 7942 87
8879
12-12-00.
serial no (8)

It is now received and is herewith submitted for orders.

mu
5/3.

The Addl Magte states that the order passed by him & upheld by Govt was passed according to his best lights and that he is unable to get

the Matter Compromised

Seeing that the orders
of the Dt Magte
referred to the Hon'ble
Feasts of 1899-1900
x that apparently
there has been no
dispute during the Feast
of 1901 (which has come
& gone), the petn
petn no 1781 dt 14/3/01
which has to be disposed of
may perhaps
may be obe for the
present. At any rate
enquiry may be made as how the Hon'ble
feast was celebrated this year

Sd/ Deman

14/3/01

27/Rec.
26.3.01.
29 Read the last sentence of the order dt 24/3/01
of the Dy Commr dt
the order dt 1903 is about
the Dewali procession
is quite immaterial
& I would like
matter may
be allowed
to

x Sd/ N. [illegible]

Sd/ [illegible]
4/4/1901
Dy Magte 4/4/1901

1899 - 1900. (1)

No. 1781

Name of Petitioner Nadig Shanka Rama Raya Honnerbra

Village Holehonnur

Taluk } Shimoga.
District }

Date of Arzi

Date of Receipt 14 - 3 - 900.

Date of Disposal

No. of Enclosure Three.

was very soon from one of the Petitioners (Narasetha Ramachar

one Rupee Stamp affixed pasl

The order communicated by dated 7. 3. 1900 is passed by the Depty Comm & District Magistrate of Shimoga this in time:

to Heline a previous petn these petrs presented in 1899 wh came heres. & petn laid for being considered in connection at the general gathering the regulation of Hon Rt. Hon'ble Governor. It was not disposed of it became ///ly 15/3/00.

Pencil orders

Memo regd at once — & believe, there is a petn & a long printed order on the subject of procession disputes &c

ABSTRACT

Appeal against the o Comm's orders dd 18-3-9 & 7-3-900.

The first permits the a gal Community of Holehon to keep an image of Hanu in a private house and the same time it disal them from passing in p cession, if there is any lik hood of a breach of peace The second is an order p ized on petn dd 1-2-1900 fro the Brahmin Community Holehonnur, praying consideration of t

s a confirmation of the former
(1st) and refers the petrs to
a competent Civil Court to
get a decree in their favour,
inspite of the observation that
hon'ble from the records of
the case Hardy, Comm.r leads one
ished to believe that the
Lingayats are introducing
an innovation.

Petrs urge that the
marginally noted records show
that the Lingayats of Hole
honnur were not permitted
to introduce the innovati
of keeping an image of
Kanva; that for full 35 y
from 1855-1891) the Lingay
did not take any steps to
keep the image of Kan
when they tried to do so i
1891 & subsequent years, t
were repeatedly disallowed
and some of the leading m
bers were arrested & fine
that orders of 13-3-97 of t
first-class magistrate of Sh
7-5-98 of the Dy. Comm.r
the District Magistrate of
Chenraya enjoin the Ling

① No. 148 of 30-6-5-5 by Major
Porter, Commissioner,
No. 238 of 29-12-57
157 " 5-1860
— " 15-3-62
— " 3-4-62
760 " 3-9-91
104 " 18-3-92
Dy. Comm.r order of 20-2
Criminal Case No. 7 of 9
of the District-Magistrate
No. 77 of 96-97 of the 1st Asst
order of 7-5-98.

Dewa. to Dr Shimoga for n/a

3

MYSORE DEWAN'S OFFICE.

JUDICIAL DEPARTMENT.

Rd

67-of 97

-2-

OFFICIAL MEMORANDUM.

No. 10549 & 22-3-1900.
J. 1045

Ex: file

(to be kindly returned) ×

× with its enclosn

The accompanying Petition No.

dated the 12th instant

received at the Dewan's Office from the Brahmin community of Holehonnur appealing against the decision of the Dt magte in the matter of taking Rama in procession at Holehonnur is forwarded, together with its enclosure in original, to the Dt magte, Shimoga for the submission of an early report thereon together with the records connected with the case in question. By Order,

21/3/1900

Secretary.

BANGALORE,
1900

Compd.
21/3

F99 Secbmitted
Secretary on
= 3-00.

Rejs putup. ~~pakn~~

FILE No. ~~67 of 99~~

SER'AL No. 3

189 (4)

No. 315

Name of Petitioner Anaji Goo

Village } on behalf
Taluk } Brahmin co
District } of Holi Hann
Shimoga

Date of Arzi 3rd Augu

Date of Receipt 13th Augu

Date of Disposal

No. of Enclosure Nil

ABSTRACT

Reminder to their petition of the 14th 1900. in re the Brah Community versus Lingayats regardi the celebration of t Holi festival. Pra for early orders the above festiva fast approachi and for return of telegraph receipts prepaid message to enable them to se

18/8/00
Subject

The previous petn 1481 dated 14-3-00 was transferred to Judl Branch from which it was forwarded to the Dy Magistrate Shimoga for report (vide) 10549 dated 22-3-00. J.1045 That reference was putup in connection with a similar complaint for the childing of. The telegram reply paper referred to by the petr is in the file. No report seems to have been received from the Dy Com of Magistrate Shimoga (called from the Judicial Branch)

20.8.00.

Transd to Judl Branch

Ry 20/8/00

2161
27-8-W

1900-1901

5

From The District Magistrate
Shimoga

To The Secretary to the
Government of Mysore
Genl and Revenue Dept

Dated 21st
Despatched
Received } August 1900

General No. 199
No. 24

Enclosure No. 4 petitions
and 4 petitioners
present

With reference to
Official memorandum
No. 1051/7 dated 22nd
July 1015
March 1900 submitting
report regarding the
dispute between the
Pirabhavara and the
Lingayats of Holehonnur
in the Shimoga Taluk.

Refers pur up
TM
30/8/00

Submitted for
orders.

District Registrar's Court
No. 199 of 1900 & record
24 enclosures (Mwanza)
Port. 21st August 1900

The
Hon'ble
The Secretary to the Lieut-Governor
General and Revenue Depts

Sir,

As called for in the
Official memorandum No. 1054 + 1045
dated 22nd March 1900, I have
the honour to forward here-
with all the records connected
with and the report regarding
the dispute between the
Brahmans and the Jangayats
of Holehonnur in the Mwanza
Taluk arising out of the objection
of the former to the latter
keeping a Kannal passage
on

re to remove the Kannal
[illegible]

The history of the Shipsh
is briefly this:— Only the Brah
mans and the Kumbars of
that place seem to have long
been in the habit of letting
out a Kumar image in a
public manner during
the Kumar festival. On the
last day of the festival the
Brahmans were taking in
procession the Kumar image
from the Fort through the
Peth and back to Fort, and
there breaking it. The Devgnalo
of Sholapur must have been
from 20 Jan back as 1855
keeping to keep a similar
custom. The Brahmans

authorized the claims set forth
by the Lungyato and the
Superintendent of Nagar
Division in his order No. 14
of 20th January 1855 declining
to grant the Lungyato's re-
quisition to keep the Kamaa
range on the ground of it
being against the local usage.
Again in 1859, after an
enquiry into the local usage
&c., an order (No. 228 dated
27th December 1859) was
passed, which while laying
down the order of precedence
in which the several Kamaas
and Kolis at Kolhapur
are to be taken in processions
and Durbars, distinguishes the

P.T.O.

night allowed to Lingayats as taking "Holi" which is said to mean a proper festival of Kama, while the Brahmans and Kambalas are permitted to take "Kama" (an idol) in procession.

2. The Lingayats hired for six consecutive years (1855–1860) to carry out the processions in the same manner as the Brahmans, but being unsuccessful in their attempt, they seem to have allowed the controversy to drop for nearly 20 years. But since 1890, they have again been hanging to get up a Kama in the Peta. See the explanation of the Brahmans, & do

were being passed year after
year till 1899 under Section
444 Criminal Procedure Code
prohibiting the Diagyato's
from exhibiting a Kama
ruuga in a public place
or the ground of that being
contrary to the local custom.
(unusual) and amounted an
infringement of a breach
of the peace and time;
directing the Diagyato to
get a decree of the Civil
Courts to establish their
rights.

4. As the Diagyato's
their petition presented
on 14th March 1899 com-
pelled to be allowed to keep

a Memorandum was also
private houses opposite
from the public road by
a concurrent and all
and represented that they
had no objection to the
Gas lamps passing along
the road in front,
I thought it satisfactory
that the real question should
be evaded and the matter
decided year by year on a
side issue concerning a
breach of the peace (real
or feigned); and accordingly
I directed an order to
allowing the Gas pipes
to cross the Turnpike
and also in front of
and leading to the

precautions against the breach
of the peace. The order clear-
ing the conditions enforced
found in the file (no — dated (F) Local Police
6th March 1899, earnt
no XIV.

With a view to see how
the new arrangements worked
and to decide which party
was in the right and deserved
to be protected, the Superintend-
ent of Police was asked to
submit a report after his
personal investigation into
the matter. In his memo-
randum dated 14th March 1900,
he reported that though it
was true that the irrigants
were entitled to a certain quantity
in the matter, apart fr

method of allowing the
Liquors to get up a Hand
image with certain conditions
imposed upon them, was on
the whole more satisfactory
than the older method of
total prohibition, which the
Reformers have all along
been insisting upon.

6. The order appealed against
was then finally passed,
as it seemed that nothing
could be gained by holding
a long inquiry which would
and could definitely settle
nothing and as it was ex-
pedient to put an end to the
long standing controversy.
The contention that the Liqui-
dators should be debarred fr
applying for the image c

Thomas Wm Fleming Jones formerly
Guards, but without conferring
with the usual customary
right of others does not become
by descent cognizance from
Government.

7. The cases under described
Nos 1 to V) quoted by the petitioners
in their petition are
not parallel cases with the
records of this Office though
in reference to names in
the Heralds' report dated
7th March 1890, and the
Police Superintendent's memo
dated 14th March 1900 to
the Office are herewith
and returned the certified
copies of Birth Certificates &
marriage certificate that the
Police

Serial No II of 1st slips.

No XV

Police (Belgrade) to Denton [illegible]

[illegible] 1900 enclosing

detailed history of the case

and a brief summary of

the various executive orders

issued on the subject.

I have the honour to be

Sir

your Most Obedient Humble Servant

H. Macgregor

Captain Inspector

Belgrade

One rupee stamp affixed

The Dewan of Mysore

Excellency

Petitioners: { The Brahmin Community of Holehonnur

Against

Opponents: { The Lingayat Community of Holehonnur

Your Excellency's petitioners most hu
and respectfully beg to approach your Excellenc
with the following appeal, trusting that it w
commend your Excellency's earliest consideral
and soliciting your Excellency's favourable ord

I Order No. 14 dt 30-6-1855 of Major Porter, Commissio
II Order No. 238 dt 29-12-1857
III Order No. 157 dt 5-1860
IV Order dt 15-3-1862
V Order dt 3-4-1862
VI Order No. 740 dt 3-9-1891
VII Order No. 104 dt 18-3-1892
VIII Deputy Commissioner's order dt 20-2-1893.
IX Criminal Case No. 7 of 1896-1897 ~~of the Distri~~ Magistrate's Court, Shimo
X Order of the 1st Assistant Commissioner No. 77 of 96-97.
XI Order dt 7-5-1898

The marginally noted rec
in the matter of the Holi
festival clearly shew th
the Lingayats have been
from time to time repres
in their attempt of innov
a festival of Kama for th
selves contrary to the r
cognized usage of Holehon
For full 35 years from 1
down to 1896, the Lingay
never dared to have an i
of Kama set up on their
own account and that i
and subsequent years the
were taken to task for setting an image: Some
of the leaders were arrested and fined and in an

time

times. the images set up by them were forcibly removed by the Police acting under the orders of the Executive [illegible]. The orders of 1891 recognize the fact that the innovation was purposely undertaken to wound the religious feelings of the Brahamins by obstructing the proper procession of the Brahamin Kaufa.

2. The order of the 13th March 1897 of the 1st class Magistrate of Shimoga and the subsequent one dated 4th May 1898 by the Deputy Commissioner and District Magistrate of Shimoga have gone the full length of espousing the just cause of the Brahamins and of enjoining the Lingayats not to set up a Kauna, of ordering removal of any image installed by them and of requiring them to go to a proper Civil Court to get a decree entitling them to innovate the festival.

3. Order of the present Deputy Commissioner ~~and District Magistrate~~ dated 18th March 1899 passed ex parte and on the back of the Brahamins took away the effect of the rulings in the matter of the Executive for the last 50 years and clothed the Lingayats so to say, with new rights contrary to the manual instead of respecting the Spirit of the many previous orders and directing the Lingayats that they should seek the protection of the Civil Courts if they wanted to have anything done for them. Your Excellency's humble petitioners beseech ~~your~~ Excellency to go through the voluminous records of the case calling for the records from the Deputy Commissioner's Court and your Excellency will, they beg to hope, be convinced that the present local authority of Shimoga has treated lightly all the orders passed by his predecessors and has espoused the cause of

the Lingayats. Your Excellency's petitioners can
not but insinuate that the Deputy Commissio
was influenced to lean to the side of the Ling
-yats by their act in sending to your Ex-
cellency a "Sensationally-worded telegram alleging
that they, the Lingayats, were treated high hand
ed" against the ex parte order passed by the
Deputy Commissioner in favour of the Brahma-
mins' ailing upon their Sworn testimony, Police
report and upon the basis of the many previous
orders.

4. The Deputy Commissioner's order dated
18th March 1899 on the petition of the Lingayats
setting aside the previous orders and not respect
ing the precedents and immemorial custom
is wrong as it says in effect that the Brahmin
Kanna can pass in procession by the Pete Stree
when the Lingayat image is paraded by the south
side; and that the act of the Lingayats is not
obstruction to the annual procession of the
Brahamin Kanna. Even, Your Excellency's
petitioners beg to pose, that the Brahamin Kanna
go in procession in view of the Kanna of the
other sect sought to be set up newly; and can
every one of the village be allowed to plan a
Kanna for himself as he would an image of
Ganesh?

5. The Brahamins could not pass in pro-
cession and burial their Kanna last year be-
cause the Lingayats had set up their image and
the favourable orders of the Deputy Commissioner
of 18th March 1899. The Brahamins petitioned to the
Deputy Commissioner to be allowed to take their
Kanna as usual in procession without experi-
ing any obstruction from the Lingayats on 12

and I also praying that the order of the 18th March 1899 passed in their absence should be suspended of effect as it went against precedents and immemorial manual. This application was disposed of unfavourably and after long delay so as to allow least time to us to approach your Excellency with an appeal in time.

6. When the lower Court was doubtful that the restrictive manual (as it is styled) could be legally enforced, it should have given out a ruling in favour of the Brahmans till the other side got the doubt cleared. It is clearly wrong when it says that the action of the Lingayats does not interfere with the right or comfort of the Brahmans as they assert that they cannot carry on their customary procession in view of the other Kama. The order is clearly wrong in asking your Excellency's present petitioners to seek an order from a Civil Court not minding that they had on their side so many orders from of the Executive. It is clearly partial as it espouses the cause of the other side which should be required to go to a Civil Court for aid because it has few or no records to show forth. The order is illegal as it says that orders cannot be issued prohibiting the Lingayats "even if all the allegations of the petitioners are established."

7. "Your petitioners pray that the records be called forth immediately and an enquiry be undertaken by your Excellency. No benefit, your Excellency's humble petitioners are convinced, will accrue to them from any further enquiry by the local authority of Shimoga."

8. Under the circumstances detailed above

Your Excellency's humble petitioners beg & pray for the following reliefs:

(1) That the Lingayats be ordered to abstain from any innovation contrary to the manual.

(2) That any breach of the customary manual be seriously taken note of, by the local authorities and summarily dealt with.

(3) That the orders dated 18th instant and 7th March 1900 be suspended of effect and the previous orders be restored and Your Excellency's final order in the matter be kindly proclaimed at an early date.

(4) That the Lingayats be temporarily enjoined not to set up any image this year and for removal of the same if placed orders are prayed for readies and earliest mode of communication to the authori

For this act of kindness your Excellency's petitioners as in duty bound shall ever pray for Your Excellency's long life and prosperity.

Shimoga
12th March 1800

3053 / 312 Sec. 1 & 27-8-1900.

MYSORE DEWAN'S OFFICE.

~~PETITION~~ DEPARTMENT.

(6)

Ral

L. N. 67 of 99

R. N. 5

OFFICIAL MEMORANDUM.

The accompanying Petition Registered No. 315 dated 3rd August 19
received at the Dewan's Office from me Gundachar, on behalf of the Brahmin Community of Holehonnur appealing against the order of the District Magistrate in the matter of Kanna pro-cession

is forwarded, ~~together with its enclosure~~, to the Deputy Commissioner of the Shimoga District, for ~~disposal~~. a very early report as called for in this office Memorandum No. 10549 / 1045 dated 22nd March 1900.

Sub. Heer.

for ~~Dewan~~ forwarded

NK 23/8

Issued and Sub.

Seen
Q
25/1900

SN
27/8/1900

Home Todays
12/12

Read:— (8) 23

dated No. 199
& 21st Aug. 26
from the D. Magte.
Shimoga, reporting
on the dispute
between the Brahmins
and the Lingayats
of Kolebamur in
the Shimoga Taluq
in connection with
the Kamei festival.

Order. — No. 7942 & 7879 9/12/26

The Gov.-observe
that the order passed
by the D. Magte.

Which was further
- sized in his
subsequent order
of the 7th March/00.
was ~~[illegible]~~ of the
spirit of the
& the ~~[illegible]~~ instruc
- tions contained
in para 8(d) of
Govt. Resp. No. 109
dt. 10
dt. 27th Feb./93. the
District Magistrate
- taxation will be
drawn & his
& his further
report awaited.

12/12/96

(10) J. 673.

25

(General Serial No. 30.) 10135

12 MAR 01 1901

1906

From The ~~District~~ Tahsildar
Shimoga

To The Secretary to the Govt of
Mysore Revenue
Depts

Subject Pal

File No. 67 of 99

No. 7

Dated 9th March 1901

Despatched

Received

General No. 745 } 190 .
No. 68

Enclosures Number.

With reference to
Govt Proc: No: 7962
J. 877
dated 12th December 1900
submits further report
regarding the dispute
between the Brahmans
and Lingayats of
Holehonnur, Shimoga
Taluk in connection
with the Kanna
festival.

J.A.

12.3.01
J.7 No. 22 of 1899-1900 puts
DW2
13/3/01

Submitted for orders.

No. 245
68

District Magistrate's Court
Shimoga District
9th March 1901.

To
The Secretary to the Govt. of Mysore,
Pol. and Rev. Department.

FILE No.
SERIAL No.

Sir,

In reply to Govt. Rev. No. 7942 dated 12th December 1900, J. 879 and the subsequent reminder, I have the honour to state that I have perused the records of the case carefully again. I find it difficult to solve the question in dispute in a more satisfactory manner after taking into due consideration the positions and sentiments of the opposing parties. The Superintendent of Police carried out the patient local investigation and

and embodied the result in
long report (dated 1st March 19
which forms part of the record
His finding on the question of
fact is favourable to the Brahm
and I see no reason to differ
from him.

2. Admitting that what the
Lingayets sought to achieve
was an innovation both the
Superintendent and I consid
ed that it would not be right
just or expedient to interfere
with the Lingayets enjoying
the festive occasions in this
moral manner. What was
allowed, it will be observed, w
restricted very narrowly in
my order of 1899 and the sam
restriction was repeated in
the next year. If in this
the spirit of the rules laid

lower by the Govt has been infringed, I can only plead that it was due to my inability to discover a better way of reconciling the interests of the conflicting parties.

3. No fresh enquiry has been ordered to be carried out and as the records already contain the allegations and proofs adduced by both the parties, I do not consider it of any use to hold any further investigation. If there was a way of compromising open I should certainly have tried to effect it between the parties. But a settlement by compromise requires a [illegible]

as the party of Brahmans oppose even the least concession to the sentiments and prejudices of their opponents the case is not likely to be settled in that manner.

4. If on a consideration of the matter now on record Govt will be pleased to pass final orders on the merits of the case, or to require particular line of further enquiry to be followed, the directions will be duly carried out both in this and other similar cases.

5. The file of papers as again submitted and the delay in replying was due chiefly to my having exceeded

needed sometime to consider
over the matter.

I have the honourable
Sir,
Your most obedient servant
H. Manjundayya
District Magistrate
Shimoga

SECTION Rev

FILE NO. 67 of 99

SERIAL NO. 8

Read,

Letter no 745/68 dated the 9th march 1901 from the District magistrate of Shimoga submitting therein the report called for vide Govt Pro: no 7942 dated the 12th Dec 1879 last, in regard to the dispute between the Brahmins and the Lingayats of Holehonnur, in the Shimoga Taluk, in connection with the Rama festival celebrated by the Lingayats at Hole-honnur, which

nds it difficult to solve
e question in dispute
- a more satisfactory
amine after taking
to due consideration
he positions and senti
ments of the opposing
parties, that the
Superintendent of
Police carried out the
patient local in-
vestigation and em-
bodied the result
n a long report, and
that this finding on
the question of fact
s favourable to
the Brahmins and
that he sees no

reason to differ from him and to order fresh inquiry in the matter already decided by him.

order thereon.

No: 1651 5 / 1650 } 12-6-01.
Recorded.

Dewan's order

11-6-01
Secy:

To,
The Dt magte
of Shimoga.